## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

SHERROD M. BURNETT,	)	
	)	
Plaintiff,	)	
	)	
	)	
v.	)	No. 3:11-00279
	)	Judge Sharp
DON HALL, et al.	)	
	)	
Defendants.	)	

## **ORDER**

On September 22, 2011, the Magistrate Judge entered a Report and Recommendation ("R & R") (Docket No. 53), recommending that (1) Defendants' Motion to Dismiss Plaintiff's First Amendment Free Exercise claim (Docket No. 41) be granted, and (2) the entire action be dismissed pursuant to Fed. R. Civ. P. 41(b) for Plaintiff's failure to obey court orders and to prosecute this action. Despite being specifically advised in the R & R that any objections to the recommendation were to be filed within fourteen days, Plaintiff has filed no objections.

Having conducted a *de novo* review of the matter in accordance with Fed. R. Civ. P. 72(b), the Court agrees with the Magistrate Judge's recommendation. Accordingly,

- (1) The R & R (Docket No. 53) is hereby ACCEPTED and APPROVED;
- (2) Defendants' Partial Motion to Dismiss (Docket No. 41) is hereby GRANTED and Plaintiff's claim that Defendants violated his rights under the Free Exercise Clause of the First Amendment to the United States Constitution by failing to provide particular religious services is hereby DISMISSED for failure to state a claim; and
  - (3) This case is hereby DISMISSED WITH PREJUDICE pursuant to Fed. R. Civ. P. 41(b)

for Plaintiff's failure to prosecute this action, failure to notify the Court of changes in addresses, and failure to comply with the Magistrate Judge's July 27, 2011, show cause Order (Docket No. 45).

The Clerk is directed to enter Judgment in a separate document in accordance with Federal Rule of Civil Procedure 58.

It is SO ORDERED.

KEVIN H. SHARP

Kein H. Shorp

UNITED STATES DISTRICT JUDGE